



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 11 2014

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Carl Anfield
James Anfield
Anfield and Sons Metal Recycling, Inc.
10251 NE Marx Street
Portland, Oregon 97220

Re: Finding of Violation
Carl Anfield
James Anfield
Anfield and Sons Metal Recycling, Inc.
Portland, Oregon

Dear Messrs. Anfield:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Carl Anfield, James Anfield, and Anfield and Sons Metal Recycling, Inc. (you). We find that you have violated the Clean Air Act (CAA), 42 U.S.C. § 7401 *et seq.*, specifically the regulations for the Protection of Stratospheric Ozone at 40 C.F.R. Part 82, Subpart F, at your Portland, Oregon facility. EPA promulgated these regulations as required by Section 608 of the CAA, 42 U.S.C. § 7671g.

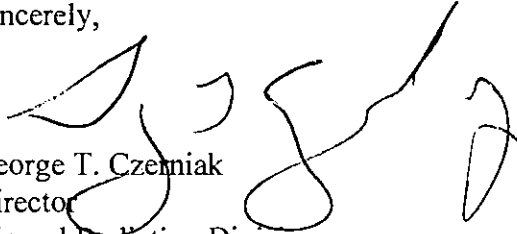
We have several enforcement options under Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the FOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Natalie Topinka. You may contact her at topinka.natalie@epa.gov or 312-886-3853 to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



George T. Czerniak
Director
Air and Radiation Division

Enclosure: SBREFA fact sheet

cc: Scott Downey, US EPA Region 10
Les Carlough, Oregon DEQ

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Carl Anfield
James Anfield
Anfield and Sons Metal Recycling, Inc.
Portland, Oregon**

Proceedings Pursuant to
the Clean Air Act,
42 U.S.C. § 7401 *et seq.*

FINDING OF VIOLATION

EPA-5-14-COE-03

FINDING OF VIOLATION

The U.S. Environmental Protection Agency (EPA) finds that Carl Anfield, James Anfield, and Anfield and Sons Metal Recycling, Inc. (Anfield) are violating the Clean Air Act (CAA), 42 U.S.C. § 7401 *et seq.* Specifically, Anfield is failing to reduce emissions of ozone-depleting substances as required by 40 C.F.R. Part 82, Subpart F, as follows:

Statutory and Regulatory Authority

1. In accordance with Section 608 of the CAA, 42 U.S.C. § 7671g, EPA promulgated regulations at 40 C.F.R. Part 82, Subpart F, applicable to recycling and emissions reductions of ozone-depleting substances. The purpose of the regulations is to reduce emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances. 40 C.F.R. § 82.150(a).
2. Under 40 C.F.R. § 82.154(a), effective June 13, 2005, no person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the environment any refrigerant or substitute from such appliances, with certain exceptions not relevant to this matter. The knowing release of a refrigerant or non-exempt substitute subsequent to its recovery from an appliance is a violation of this prohibition.
3. Under 40 C.F.R. § 82.156(f)(1), persons who take the final step in the disposal process (including but not limited to scrap recyclers and landfill operators) of a small appliance that contains refrigerant must recover any remaining refrigerant from the appliance in accordance with 40 C.F.R. § 82.156 (g) or (h), as applicable.

Factual Background

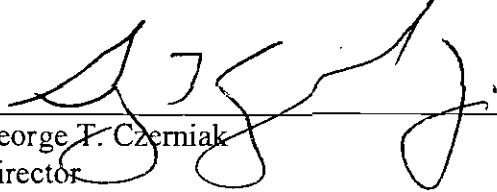
4. Anfield owns and operates a scrap metal recycling facility (the facility) at 10251 NE Marx Street, Portland, Oregon.
5. At the facility, Anfield maintains, services, repairs and/or disposes of appliances.
6. Between June 30, 2009 and the present, Anfield accepted on one or more occasions appliances, including but not limited to refrigerators, vending machines, and coolers, that contained class I or II ozone-depleting refrigerants or their substitutes.
7. Between June 30, 2009 and the present, Anfield knowingly vented or otherwise released into the environment refrigerant from the appliances listed in paragraph 6, above.
8. Between June 30, 2009 and the present, Anfield failed to recover the refrigerant from the appliances and items listed in paragraph 6, above, in accordance with 40 C.F.R. § 82.156(f)(1).

Finding of Violations

9. For the reasons above, EPA finds that Anfield has violated 40 C.F.R. §§ 82.154 and 82.156.

7/11/14

Date



George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, _____, certify that I sent a Finding of Violation, No. EPA-5-14-COE-03, by Certified Mail, Return Receipt Requested, to:

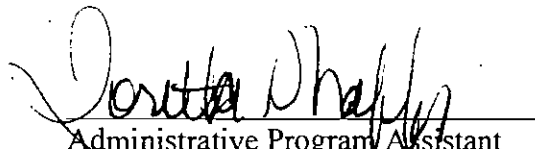
Carl Anfield
James Anfield
Anfield and Sons Metal Recycling, Inc.
10251 NE Marx Street
Portland, Oregon 97220

I also certify that I sent copies of the Finding of Violation by first-class mail to:

Scott Downey, Manager
Air and RCRA Compliance Unit
EPA Region 10, OCE-127
1200 6th Ave, Suite 900
Seattle, WA 98101

Les Carlough
Oregon Department of Environmental Quality
Air Quality Division
811 SW Sixth Ave
Portland, OR 97204

On the 15 day of July 2014.


Administrative Program Assistant
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 70010320000601859860